

Message Text

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ORIGIN FAA-00

INFO OCT-01 EUR-12 ISO-00 EB-08 DOTE-00 CAB-05 CIAE-00
COME-00 DODE-00 INR-10 NSAE-00 L-03 /039 R

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-----020561 151522Z /47

R 142256Z PEB 78
FM SECSTATE WASHDC
TO AMEMBASSY VIENNA
INFO AMEMBASSY BRUSSELS

UNCLAS STATE 039147

PASS FAA

E.O. 11652:

TAGS: EAIR, AU

SUBJECT: FAA CERTIFICATION OF AUSTRIAN AIRLINES
REPAIR FACILITY

REF: VIENNA 00198

1. FAA APPRECIATES EMBASSY VIEWS EXPRESSED REFTEL AND UNDERSTANDS IMPORTANCE THAT EMBASSY AND AUSTRIAN AIRLINES (AUA) ATTACH TO THIS SUBJECT.
2. AS EMBASSY AND AUA PROBABLY AWARE, THE FAA DECISION TO NOT RECERTIFICATE THE AUA REPAIR STATION WAS ONLY BECAUSE NO MAINTENANCE OR ALTERATION WORK HAS BEEN PERFORMED BY AUA ON U.S. REGISTERED AIRCRAFT FOR MORE UNCLASSIFIED

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THAN ONE YEAR. PERTINENT PROVISIONS OF FEDERAL AVIATION REGULATIONS (FARS) PART 145 SECTIONS 145.17 AND 145.71 ESSENTIALLY STATES THAT FOREIGN REPAIR STATIONS CERTIFICATES CAN ONLY BE ISSUED (ORIGINAL OR RENEWAL) WHEN THAT STATION IS NECESSARY FOR MAINTAINING OR ALTERING U.S. REGISTERED AIRCRAFT OUTSIDE THE U.S. THIS REGULATION MAKES NO REFERENCE TO WORK ACCOMPLISHED ON U.S. MANUFACTURED AIRCRAFT REGISTERED IN FOREIGN COUNTRIES. AS AUA WAS UNABLE TO SHOW COMPLIANCE WITH THESE REGULATIONS, FAA PERSONNEL IN FRANKFURT HAD NO ALTERNATIVE

BUT TO ALLOW THE AUA REPAIR STATION CERTIFICATE TO EXPIRE.

3. WHILE AUA SUGGESTION CONCERNING COMPENSATING FAA FOR EXPENSES IN CONNECTION WITH ANNUAL VISITS (PARA 4 REFTEL) IS APPRECIATED; HOWEVER, COMPENSATION IS NOT A FACTOR IN FAA DECISION THIS SUBJECT AND FAA COULD NOT ACCEPT COMPENSATION FOR RENEWAL SERVICES.

4. FAA RECOGNIZES BROADER U.S. INTERESTS MENTIONED REFTEL AS WELL AS THE FACT THAT AUA IS A GOOD CUSTOMER OF U.S. MANUFACTURED AIRCRAFT. NEVERTHELESS, AS CITED FARs ARE EXPLICIT AND LEAVE NO DISCRETION WITH THE FAA ADMINISTRATOR FOR CONSIDERING SUCH COLLATERAL U.S. INTERESTS, FAA HAS NO CHOICE BUT TO PERMIT THE AUA FOREIGN REPAIR STATION CERTIFICATE TO EXPIRE. HOWEVER AS AUA HAS BEEN ABLE TO SATISFY THE STRINGENT FAR REQUIREMENTS IN THE PAST, THEY WOULD NOT ENCOUNTER DIFFICULTY IN OBTAINING FAA RECERTIFICATION IF AND WHEN AUA CAN ESTABLISH COMPLIANCE WITH THE APPLICABLE FARs BY SPECIFICALLY DEMONSTRATING A NEED FOR THE REPAIR STATION CERTIFICATE TO PERFORM REPAIR AND MAINTENANCE ON U.S. REGISTERED AIRCRAFT.

5. THE EMBASSY SHOULD REASSURE AUA THAT FAA'S DECISION
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NOT TO RENEW AUA FOREIGN REPAIR STATION CERTIFICATE IN NO WAY SHOULD BE CONSTRUED AS A REFLECTION ON THE INTEGRITY OF THE AUA ORGANIZATION, THE ADEQUACY OF ITS MAINTENANCE REPAIR FACILITIES OR TECHNICAL COMPETENCY OF THE PERSONNEL WORKING AT THE REPAIR STATION. VANCE

UNCLASSIFIED

<< END OF DOCUMENT >>

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